

The Gazette of India

PUBLISHED BY AUTHORITY

No. 32] NEW DELHI, SATURDAY, SEPTEMBER 20, 1958/BHADRA 29, 1880

NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 12th September, 1958 :—

Issue No.	No. and date	Issued by	Subject
160-A	S.O. 1726-A, dated 20th August, 1958.	Ministry of Law	Declaration containing the name of the candidate elected by the Andhra Pradesh Legislative Council to the Council of States.
179	S.O. 1818, dated 5th September, 1958.	Ministry of Information and Broadcasting.	Certification of films.
180	S.O. 1819 to 1822, dated 5th September, 1958.	Ministry of Food and Agriculture.	Authorisation of persons to determine the market price of Rice and Wheat in Uttar Pradesh, Madhya Pradesh, Rajasthan and Punjab.
181	S.O. 1823, dated 27th August, 1958.	Election Commission, India.	Election Petition No. 284 of 1957.
182	S.O. 1824, dated 30th August, 1958.	Do.	Civil Miscellaneous First Appeal No. 2 of 1958.
183	S.O. 1825 and 1826, dated 9th September, 1958.	Ministry of Commerce and Industry.	Delegation of power in relation to Staple fibre and Staple fibre Control Order.
184	S.O. 1878, dated 9th September, 1958.	Ministry of Home Affairs	Order <i>re.</i> transfer of "Legal Aid to the Poor" to the Ministry of Law.
185	S.O. 1879, dated 10th September, 1958.	Ministry of Law	Authorisation on behalf of the President, <i>re.</i> Contracts and Assurances of Property etc. to the Ambassador or Charge'd Affaires of India in the U.S.A.
186	S.O. 1880, dated 12th September, 1958.	Election Commission, India.	List of contesting candidates in election to the Council of States by the members of the Electoral College of the Union Territory of Delhi.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

ELECTION COMMISSION, INDIA

New Delhi, the 11th September 1958

S.O. 1889.—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950 (43 of 1950), the Election Commission, in consultation with the Government of Mysore, hereby nominates Shri R. Sanjeevalu, Deputy Secretary to the Government of Mysore, Law Department, as the Chief Electoral Officer for the State during the absence on leave of Shri A. M. Shaikh.

[No. 154/8/58.]

By Order,

S. C. ROY, Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 29th August 1958

S.O. 1890.—In pursuance of clause (b) of rule 2 of the Citizenship Rules, 1956, the Central Government hereby makes the following amendment to the Schedule annexed to the Notification of the Government of India in the Ministry of Home Affairs No. 10/7/56-IC. dated the 22nd June, 1957, published as S.R.O. 2097 at page 1344 of the Gazette of India Part II Section 3 dated the 29th June, 1957—

In the said Schedule for items 4 and 5 and the entries against them in columns 1 and 2, the following shall be substituted, namely:—

“4. Additional Sub-divisional Officer,
Belonia.

Belonia Sub-division.

5. Additional Sub-divisional Officer,
Sabroom.

Sabroom Sub-division.”

[No. 10/7/56-IC.]

MOHINDER SINGH, Dy. Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 10th September 1958

S.O. 1891.—In pursuance of clause (d) of sub-section (1) of section 3 of the Reserve Bank of India Act, 1934 (2 of 1934), and in supersession of the Notification of the Government of India in the Ministry of Finance, Department of Economic Affairs No. 3(11)-F.I/58 dated the 8th July, 1958, the Central Government hereby nominates Shri A. K. Roy to be a Director of the Central Board of the Reserve Bank of India, vice Shri S. Jagannathan, I.C.S.

[No. 3(11)-F.I/58.]

New Delhi, the 11th September 1958

S.O. 1892.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 11 of the said Act shall not apply to the New Citizen Bank of India Ltd., Bombay, for a period up to and including the 31st March, 1959.

[No. 4(116)-BC/58.]

R. K. SESHADRI, Dy. Secy.

(Department of Economic Affairs)

New Delhi, the 11th September 1958

S. O. 1893—Statement of the Affairs of the Reserve Bank of India, as on 5th September 1958

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up	5,00,00,000	Notes	11,63,36,000
Reserve Fund	80,00,00,000	Rupee Coin	2,32,000
National Agricultural Credit (Long-term Operations) Fund	25,00,00,000	Subsidiary Coin	3,08,000
National Agricultural Credit (Stabilisation) Fund	3,00,00,000	Bills Purchased and Discounted :—	
Deposits :—		(a) Internal
(a) Government—		(b) External
(1) Central Government	52,23,97,000	(c) Government Treasury Bills	4,28,01,000
(2) Other Governments	14,71,63,000	Balances held abroad*	13,69,88,000
(b) Banks	93,44,38,000	Loans and Advances to Governments	14,42,85,000
(c) Others	113,55,75,000	Other Loans and Advances†	53,51,34,000
Bills Payable	14,74,91,000	Investments	305,93,82,000
Other Liabilities	10,86,95,000	Other Assets	9,02,93,000
TOTAL	412,57,59,000	TOTAL	412,57,59,000

*Includes Cash & Short term Securities.

†The item 'Other Loans and Advances, includes Rs. 4,52,00,000/- advanced to scheduled banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

Dated the 10th day of September 1958.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 5th day of September 1958.

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	11,63,36,000		A. Gold Coin and Bullion—		
Notes in circulation	1541,69,61,000		(a) Held in India	117,76,03,000	
Total Notes Issued		1553,32,97,000	(b) Held outside India	
			Foreign Securities	169,67,56,000	
			TOTAL OF A		287,43,59,000
			B. Rupee Coin		136,50,73,000
			Government of India Rupee Securities		1129,38,65,000
			Internal Bills of Exchange and other commercial paper
TOTAL—LIABILITIES		1553,32,97,000	TOTAL—ASSETS		1553,32,97,000

Dated the 10th day of September, 1958.

H. V. R. IENGAR,
Governor.

[No. F-3(2)-F. 1/58.]
A. BAKSI, Jt. Secy.

(Department of Economic Affairs)

New Delhi, the 11th September 1958

S.O. 1894.—In exercise of the powers conferred by Section 53 of the Banking Companies Act, 1949 (10 of 1949), and on the recommendation of the Reserve Bank of India, the Central Government hereby declares that—

- (1) the provisions of section 10(1)(b)(i) of the said Act (in so far as they relate to the employment of any person who is or at any time has been adjudicated insolvent or has suspended payment or has compounded with his creditors) and section 10(1)(c)(i) of the said Act (in so far as they prohibit its Managing Director from being a director of the Jupiter Investment Trust Ltd.) shall not apply to the New Bank of India Ltd., up to the 15th September, 1961;
- (2) the provisions of section 10(1)(c)(i) of the said Act shall not apply to the Commercial Bank of India Ltd. till the 15th September, 1961.

[No. F. 4(119)-BC/58.]

New Delhi, the 13th September 1958

S.O. 1895.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949) and Rule 16 of the Banking Companies Rules, 1949 and in supersession of the notification of the Government of India in the Ministry of Finance, No. 4(143)-F.1/55 dated the 16th June 1958, the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 31 of the said Act and Rule 15 of the said Rules shall not apply up to the 15th November, 1958, to the Indo-Commercial Bank Ltd., Mayuram, in so far as the said provisions relate to (i) the publication of its Balance Sheet and Profit and Loss Account for the period ended the 31st December, 1957 together with the Auditor's Report in a newspaper and (ii) the submission of three copies of its Balance Sheet and Profit and Loss Account for the period ended the 31st December, 1957 and of the Auditor's Report thereon to the Reserve Bank of India.

[No. 4(143)-F. 1/55.]

D. N. GHOSH, Under Secy.

(Department of Revenue)

INCOME-TAX

New Delhi, the 1st September 1958

SUBJECT:—Indian Income-tax Act, 1922—Section 4(3) (xvii) (ii)—Exemption of tax on interest payable to foreign financial institutions—Central Government approval.

S.O. 1896.—In exercise of powers conferred by sub-clause (ii) of clause (xvii) of sub-section (3) of section 4 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Government hereby accords approval to the Export-Import Bank of Japan, Tokyo, for the purposes of exemption from Indian Income-tax of the interest payable by any industrial undertaking in India on moneys borrowed by it under a loan agreement entered into with the said foreign financial institution.

[No. 80/10(22)-58/TPL.]

N. H. NAQVI, Dy. Secy.

(Department of Revenue)

ORDER

STAMPS

New Delhi, the 11th September 1958

S.O. 1897.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby rescinds this Ministry's Order No. 23—Stamps, dated the 21st July, 1958.

[No. 29.]

B. B. GUJRAL, Under Secy.

CENTRAL BOARD OF REVENUE**INCOME-TAX***New Delhi, the 11th September 1958*

S.O. 1898.—In exercise of the powers conferred by sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following further amendments in its notification S.O. 660 No. 35- Income-tax dated the 22nd April, 1958, namely:—

In the Schedule annexed to the said notification under sub-head "V-Bombay North"—

(a) against 'Rajkot Range' for the existing entry "4. Surendranagar Circle" the following entry shall be substituted, namely:—

"4. Jannagar Circle".

(b) against "Bhavnagar Range" after the existing entry "3. Special Survey Circle II, Rajkot (for appeals arising from the territorial jurisdiction of Bhavnagar, Amreli, Junagadh and Porbandar Circle)" the following entries shall be added, namely:—

"4. Porbandar Circle;

5. Surendranagar Circle".

(c) the following entries shall be deleted, namely:—

"Jamnagar Range.

1. Jamnagar Circle.

2. Porbandar Circle."

(These amendments shall come into force from the 20th September, 1958).

Explanatory Note

NOTE.—These amendments have been necessitated on account of reorganisation of the A.A.Cs.' jurisdiction in the charge of the Commissioner of Income-tax, Bombay North.

(This note does not form a part of the notification but is intended to be merely clarificatory).

[No. 87 (F. No. 50/46/58-IT).]

New Delhi, the 12th September 1958

S.O. 1899.—In exercise of the powers conferred by sub-section (6) of Section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following further amendments in the Schedule annexed to its notification S.R.O. 1214 No. 44 Income-tax dated the 1st July, 1952, namely:—

In the said Schedule, after S. No. 21-G, the following entry shall be inserted, namely:—

1	2	3	4	5	6
21. H.	Employees of M/s. Steinmüller Export, stationed anywhere in the taxable territories.	5th Income-tax Officer, Salaries Branch II, Bombay.	Inspecting Assistant Commissioner of Income-tax, C-Range, Bombay.	Appellate Assistant Commissioner of Income-tax Q-Range, Bombay.	Commissioner of Income-tax Bombay City.

[No. 88 (F. No. 55/117/58-IT)]

B. V. MUNDKUR, Under Secy.

MINISTRY OF COMMERCE AND INDUSTRY*New Delhi, the 9th September 1958*

S.O. 1900.—In exercise of the powers conferred by sub-section (3) of section 1 of the Standards of Weights and Measures Act, 1956 (89 of 1956), the Central Government hereby makes the following amendments in the Notification

of the Government of India in the Ministry of Commerce and Industry No. S.O. 1250 dated the 26th June, 1958, namely:—

In the Table to the said notification,

1. for the entries in column 2 against 'Bihar' in column 1, the following entries shall be substituted, namely:—

"Divisions of Bhagalpur and Ranchi, the Municipal and Notified areas in Patna and Tirhut Divisions within the meaning of the Bihar and Orissa Municipal Act 1922, and the area under the Patna Municipal Corporation".

2 in column 2 against 'Madhya Pradesh' in column 1, for the word 'Bhopal', the word 'Sehore' shall be substituted.

[No. S.M.C.-15(3)/58.]

K. V. VENKATACHALAM, Jt. Secy

TEA CONTROL

New Delhi, the 11th September 1958

S.O. 1901.—In exercise of the powers conferred by section 4 of the Tea Act 1953 (29 of 1953), read with sub-rule (1) of rule 5 of the Tea Rules, 1954, the Central Government hereby appoints Mr. D. L. Betts as a member of the Tea Board until the 31st March 1960, in the vacancy caused by the resignation of Mr. H. K. Stringfellow and makes the following further amendment in the notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 944 dated the 17th March, 1954, namely:—

In the said notification—

In the category of members representing owners of tea estates and gardens and growers of tea, for the entry "9. Mr. H. K. Stringfellow, Messrs. Shaw Wallace & Co., Ltd., Calcutta",

the following entry shall be substituted, namely:—

"9. Mr. D. L. Betts, Messrs. Gillanders Arbuthnot & Co. Ltd., Gillander House, 3, Netaji Subhas Street, Calcutta-1."

[No. 7(1)Plant(A)/57.]

P. V. RAMASWAMY, Under Secy.

COFFEE CONTROL

New Delhi, the 15th September 1958

S.O. 1902.—Sri G. S. Srinivasan, I.A.S., Chief Coffee Marketing Officer, Coffee Board, Bangalore is granted 20 days' earned leave from 15th September, 1958, to 4th October, 1958, with permission to prefix Sunday, the 14th September, 1958 and suffix Sunday, the 5th October, 1958.

[No. 9(59)Plant(B)/57.]

M. S. SADASIVAN, Under Secy.

CORRIGENDUM

New Delhi, the 15th September 1958

S.O. 1903/IDRA/6/1/Am.(4).—In the Order of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 966 dated the 22nd May 1958, published in Part II Section 3 sub-section (ii) of the Gazette of India dated the 31st May, 1958,

For "Shri Bishamber Das Kapur, Managing Director, Atlas Cycle Industries Ltd., Sonapat".

Read "Shri Bishamber Das Kapur, General Manager, The Atlas Cycle Industries Ltd., Sonapat".

[No. 4(2)IA(II)(G)/58.]

A. K. CHAKRAVARTI, Under Secy.

ORDER

New Delhi, the 16th September 1958

S.O. 1904/IDRA/6/15.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby establishes for the scheduled industries engaged in the manufacture or production of alcohol and other products of fermentation industries, a Development Council which shall consist of the following members, namely:—

- | | |
|--|---|
| <p>(a) 1. Shri Charat Ram, All India Distillers' Association, H-37, Connaught Circus, New Delhi—1.</p> <p>2. Shri Jivanlal Chhotalal, All India Distillers' Association, H-37, Connaught Circus, New Delhi—1.</p> <p>3. Mr. R. A. Williams, Carrow & Company, Ltd., 4, Fairlie Place, Calcutta—1.</p> <p>4. Shri R. I. Mazumdar, Head Brewer & Director, United Breweries Limited, P.O. Box 114, Bangalore—1.</p> <p>5. Shri N. N. Mohan, Dyer Meakin Breweries Ltd., Lucknow.</p> <p>6. Shri S. N. Gundu Rao, Director, National Sugar Institute, Government of India, Ministry of Food & Agriculture, (Department of Food), Kanpur)</p> <p>7. Shri G. Gundu Rao, Upper Ganges Sugar Mills Ltd., Seohara (Bijnor).</p> <p>8. Dr. N.R. Kuloor, Shri Ram Institute for Industrial Research, 19, University Road, Civil Lines, Delhi-8.</p> <p>9. Dr. M. R. Mandlekar, Director of Industries, Old Custom House Yard, Fort, Bombay—1.</p> <p>10. Shri Ram Singh Bhai Varma, M.P., Vice-President, Indian National Trade Union Congress, Jan Path, New Delhi.</p> <p>11. Shri J. Verghese, Burmah-Shell Oil Storage & Distributing Co. of India Ltd., Burmah-Shell House, Connaught Circus, Post Box No. 7, New Delhi—1.</p> <p>12. Dr. C. J. Dadachanjli, Sales Manager, Industrial Products Division, National Carbon Company (India) Ltd., 18A, Barbourne Road, Calcutta-1.</p> <p>13. Shri M. A. Ekambaram, Asstt. Works Manager, The Siralk Limited, P.O. Sirpur-Kaghnagar (C. Ry.), (Andhra Pradesh).</p> | <p>} being persons who in the opinion of the Central Government are capable of representing the interests of owners of industrial undertakings in the said scheduled industries.</p> <p>} being persons who in the opinion of the Central Government have special knowledge of matters relating to the technical or other aspects of the said scheduled industries.</p> <p>} being a person who in the opinion of the Central Government is capable of representing the interests of persons employed in industrial undertakings in the said scheduled industries.</p> <p>} being persons who in the opinion of the Central Government are capable of representing the interests of consumers of goods manufactured or produced by the said scheduled industries.</p> |
|--|---|

and (b) one other member to be hereafter specified by the Central Government who will be a person capable of representing the interests of persons employed in industrial undertakings in the said scheduled industries.

2. Shri S. N. Gundu Rao shall be the Chairman of the said Development Council.

3. The Central Government hereby assigns the following functions to the said Development Council, namely:—

- (i) Recommending targets for production, co-ordinating production programmes and reviewing progress from time to time.
- (ii) Suggesting norms of efficiency with a view to eliminating waste, obtaining maximum production, improving quality and reducing costs.
- (iii) Recommending measures for securing the fuller utilization of the installed capacity and for improving the working of the industry, particularly of the less efficient units.
- (iv) Promoting arrangements for better marketing and helping in the devising of a system of distribution and sale of the produce of the said scheduled industries which would be satisfactory to the consumer.

- (v) Promoting standardization of products.
- (vi) Promoting or undertaking the collection and formulation of statistics.
- (vii) Promoting the adoption of measures for increasing the productivity of labour, including measures for securing safer and better working conditions and the provision and improvement of amenities and incentives for workers.

[No. 4(45)IA(II)(G)/58.]

K. C. MADAPPA, Dy. Secy.

ORDER

EXPORT TRADE CONTROL

New Delhi, the 20th September 1958

S.O. 1905.—In exercise of the powers conferred by sections 3 and 4A of the Imports and Exports (Control) Act, 1947 (18 of 1947), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Exports (Control) Order, 1958, namely:—

In Schedule I to the said Order—

Under the heading "B. RAW MATERIALS AND ARTICLES MAINLY UN-MANUFACTURED", for entry (d) of item 9(i), the following shall be substituted:—

"(d) Zoda and yellow pickings".

[No. Export (1)/AM(16).]

T. S. KUNCHITHAPATHAM, Under Secy.

(Indian Standards Institution)

CORRIGENDUM

New Delhi, the 10th September 1958

S.O. 1906.—In the Ministry of Commerce and Industry (Indian Standards Institution) Notification No. S.R.O. 297, dated the 1st February 1956, published in the Gazette of India, Part II—Section 3, dated the 11th February 1956 at page 163:

- (i) Under column 3 against Sl. No. 1 insert 'IS: 355-1952 Specification for Rosin for Paints and Varnishes'.

[No. MDC/11(4).]

D. V. KARMAKAR,

Deputy Director (Marks).

THE MADRAS CENTRAL EXCISE COLLECTORATE

CENTRAL EXCISES

Madras, the 28th July 1958

S.O. 1907.—In pursuance of Rule 5 of the Central Excise Rules 1944 and in partial modification of this Collectorate Notification of even No. dated 4th February, I empower the Central Excise Officers specified in column 1 of the sub-joined table to exercise within their respective jurisdiction the powers of a "Collector" conferred by the provisions of the Rule enumerated in column 2 of the table subject to the limitations set out in column 3 thereof.

TABLE

Rank of Officers	Central Excise Rules	Limitations
1	2	3
Assistant Collectors of Central Excise.	210-A	Where the value of goods does not exceed Rs. 5000/-

[No. C.IV/F/8/244/49-58 C.E.(POL).]

S. P. KAMPANI, Collector.

BOMBAY CENTRAL EXCISE COLLECTOR**CENTRAL EXCISE***Bombay, the 4th August 1958*

S.O. 1908.—In exercise of the powers under Rule 5 of the Central Excise Rules, 1944, I empower the Assistant Collectors of Central Excise of the Bombay Central Excise Collectorate, to exercise powers under Rule 210-A of the Central Excise Rules, 1944, within their respective jurisdictions, in cases where the value of goods does not exceed Rs. 5,000/-.

2. This Notification modifies the Bombay Central Excise Collectorate Notification No. CER.5/2/57, dated the 25th February, 1957, to the above extent.

[No. G.S.R. 5/T/2/58.]

M. T. SHANBHAG, Collector.

CENTRAL EXCISE COLLECTORATE, DELHI*New Delhi, the 11th September 1958*

S.O. 1909.—In supersession of this office Notification published in the issue of the Gazette of India dated the 12th July, 1958, under S.O. No. 1333 all officers of and above the rank of sub-inspector in the Central Excise Collectorate, Delhi, are hereby declared as authorised officers for the purpose of Rule 197 of the Central Excise Rules, 1944.

[No. IV(8)1/58/45595.]

B. D. DESHMUKH, Collector

MINISTRY OF TRANSPORT AND COMMUNICATIONS**(Department of Transport)****(Transport Wing)****PORTS***New Delhi, the 5th September 1958*

S.O. 1910.—In pursuance of sub-section (2) of section 9 of the Madras Port Trust Act, 1905 (Madras Act II of 1905), it is hereby notified that, in accordance with the provisions of section 13 of the said Act, Shri J. R. Galloway of Messrs Gordon Woodroffe & Co. (Madras) Private Ltd., has been elected by the Madras Chamber of Commerce to be a Trustee of the Port of Madras with effect from the 20th August 1958, vice Shri A. R. Liddiard resigned.

[No. 13C-PG(42)/58.]

New Delhi, the 9th September 1958

S.O. 1911.—In exercise of the powers conferred by sub-section (3) of section 3 of the Indian Ports Act, 1908 (15 of 1908), and in supersession of the Ministry of Transport Notification No. 2-PIII(44)/56-PG, dated the 28th November, 1957, the Central Government is pleased to authorise Shri C. B. Rao, Pilot Kandla Port to pilot ships upto 4,000 tons gross in and out of the Kandla Port during day light hours only.

[No. 2A-PG(30)/58.]

New Delhi, the 10th September 1958

S.O. 1912.—In exercise of the powers conferred by sub-section (3) of section 3 of the Indian Ports Act, 1908 (15 of 1908), the Central Government hereby authorises Sarvashri R. J. Coutinho and M. L. Azavedo temporary pilots of the Bombay Port Trust, to pilot vessels in the Port of Bombay.

[No. 8.A-PG(37)/58.]

Miss I. INDIRA, Under Secy

(Department of Communications)

(P. & T.)

New Delhi, the 10th September 1958

S.O. 1913.—In exercise of the powers conferred by section 21 of the Indian Post Office Act 1898, (6 of 1898), the Central Government hereby makes the following further amendments to the Indian Post Office Rules, 1933, namely:—

In the said rules:—

1. In rule 16:—

(I) for sub-rule (4) the following sub-rule shall be substituted, namely:—

“(4) The minimum size of “Business Reply Envelopes” shall conform to the minimum size prescribed for covers of letters. The “Business Reply Cards” shall conform in size and quality with the conditions prescribed for postcards of private manufacture. The address side of each such card shall be reserved fully for the particulars given in sub-rule (5) and the other side may be used by the sender for the purpose of written communication, or may be otherwise disposed of, provided that nothing shall be attached to any side of such card except:—

(a) in the case of address side, a Business Reply Label referred to in sub-rule (5); and

(b) in the case of the other side—

(i) a gummed label not exceeding 2 inches in length and 3/4 inch in width, completely adherent to the card and bearing the name and address of the sender of the card; and

(ii) engravings, illustrations, drawings and photographs on very thin paper and completely adherent to the card.”;

(II) after sub-rule (5), the following shall be inserted as sub-rule (5A), namely:—

“(5A) A “Business Reply Card” shall not be folded, cut or otherwise altered”;

(III) after sub-rule (7), the following sub-rule shall be inserted, namely:—

“(8) The provisions of rule 14A shall apply, so far as may be, to Business Reply Cards as they apply to post cards”;

2. After rule 16, the following shall be inserted as rule 16-A, namely:—

“16-A. should any of the conditions imposed by rule 16 be infringed, the Business Reply Card or Envelope shall be treated as an unpaid letter.”

[No. 22/2/57-CI.]

S.O. 1914.—In exercise of the powers conferred by sections 21 and 23 of the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes the following further amendment to the Indian Post Office Rules, 1933, namely:—

After rule 46-A of the said Rules, the following rule shall be inserted, namely:—

“46-B. (1) No article sent in envelopes which are wholly transparent or which have an open panel shall be transmitted by post. Articles in envelopes with a transparent panel may, however, be transmitted by post provided they conform to the following conditions:—

(a) The transparent panel shall be parallel to the greatest dimension so that the address of the addressee appears in the same direction and the application of the date stamp is not interfered with.

(b) The address shall be clearly legible through the panel and no other communication shall be visible through the panel so as to affect the clarity of the address.

(c) The address shall be clearly written in ink, by typewriting, or by a printing process. Articles, the address on which is written by copying pencil or by pencil shall not be transmitted.

- (2) If any article in the course of transmission is found to contravene the provisions of sub-rule (1), it shall be returned to the sender."

2. The amendment hereby made shall come into force on the 1st April, 1959.

[No. 3/3/57-CI.]

S.O. 1915.—In exercise of the powers conferred by clause (e) of sub-section (2) of section 21 of the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes the following further amendment to the Indian Post Office Rules, 1933, namely:—

In sub-rule (2) of rule 33 of the said Rules, for the figure and word "6 feet" the figures and word "6 1/6 feet" shall be substituted.

[No. 28/6/58-CI.]

S.O. 1916.—In exercise of the powers conferred by sub-section (2) of section 16 of the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes the following further amendment in the Indian Post Office Rules, 1933, namely:—

In rule 183 of the said Rules, after item (xx) the following item shall be inserted, namely:—

- "(yy) The Chairman and Secretary of the Bombay Housing Board, provided that the articles posted by them relate solely to the business of the said Board."

[No. 24/14/58-CI.]

B. G. DESHMUKH, Under Secy.

MINISTRY OF HEALTH

New Delhi, the 11th September 1958

S.O. 1917.—In exercise of the powers conferred by sub-clause (ii) of clause (b) of section 3 of the Drugs Act, 1940 (23 of 1940), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Health No. F. 1-10/56-D, dated the 20th October, 1956, namely:—

In the said notification, for the words 'chemical contraceptives' the words 'contraceptives except mechanical ones' shall be substituted.

[No. F. 3-15/58-D.]

D. J. BALARAJ, Dy. Secy.

MINISTRY OF REHABILITATION

New Delhi, the 11th September 1958

S.O. 1918.—Whereas the Central Government is of opinion that it is necessary to acquire the evacuee properties specified in the Schedule hereto annexed in the State of Bihar for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires, the said evacuee properties.

THE SCHEDULE

Serial No.	Particulars of the Evacuee properties	Name of the town and locality/ village in which the property is situated Holding No. Circle No. and other particulars	Name of the Evacuee
1.	Janta Hotel	Part of Holding No. 140 Circle No. 24 Gobind Mitra Road, Patna.	Most. Chand Tara of Gobind Mitra Road, Patna.
2.	Residential House	Part of Holding No. 140 Circle No. 24 Gobind Mitra Road, Patna.	Most. Chand Tara of Gobind Mitra Road, Patna.

[No. 1(1222)/58/Comp. III/Prop.]

I. N. CHIB, Dy. Chief Settlement Commissioner and Dy. Secy.

(Office of the Chief Settlement Commissioner)

New Delhi, the 9th September 1958

S.O. 1919.—In exercise of the powers conferred by clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Comp. & Rehab.) Act No. 44 of 1954, the Central Government hereby appoints Shri R. D. Batra for the time being holding the post of Managing Officer-cum-Assistant Custodian, Delhi, as Managing Officer, for the custody, management and disposal of compensation pool.

[No. 4(41)Admn(Prop.)/58.]

S.O. 1920.—In exercise of the powers conferred by clause (a) of sub-section 2 of the Section 16 of Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby confers on Sarvshri B. L. Juneja and R. K. Sibbal, Assistant Settlement Officers in the office of the Settlement Commissioner (G.B.P.), Delhi, the powers of the Managing Officer, for the custody, management and disposal of immovable property in the Compensation pool situated in the Union Territory of Delhi.

[No. 8/1/54-Admn(Reg.).]

New Delhi, the 12th September 1958

S.O. 1921.—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Claims) Supplementary Act, 1954 (No. 12 of 1954), the Central Government hereby appoints Shri V. D. Kapoor as Settlement Officer for the purpose of performing the functions assigned to such officer by or under the said Act, with effect from the date he took charge of his office.

2. The Central Government also appoints the said Officer as Additional Settlement Commissioner for the purpose of performing the functions assigned to such officer by or under the said Act with effect from the same date.

[No. 15(23)/Admn./Int./56-57.]

S.O. 1922.—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (Act 44 of 1954), the Central Government hereby appoints Shri V. D. Kapoor as Settlement Officer for the purposes of performing the functions assigned to such Officer by or under the said Act with effect from the date he took charge of the office.

2. The Central Government also appoints the said Officer as Additional Settlement Commissioner for the purposes of performing the functions assigned to such Officer by or under the said Act with effect from the same date.

[No. 15(23)/Admn./Int./56-57.]

New Delhi, the 13th September 1958

S.O. 1923.—In exercise of the powers conferred by Sub-Section (1) of Section 8 of Administration of Evacuee Property Act, 1950 (XXXI of 1950) the Central Government hereby appoints, for the State of Bihar, Orissa & West Bengal, all the Officers for the time being holding the post of Assistant Settlement Officer under Regional Settlement Commissioner, Bihar as Assistant Custodians for the purpose of discharging the duties assigned to the Custodian by or under the said Act with immediate effect.

[No. 16(2)-Admn(Prop)/58.]

M. L. PURI,

Settlement Commissioner (Admn) Ex-officio Under Secy.

MINISTRY OF LABOUR & EMPLOYMENT

New Delhi, the 12th September 1958

S.O. 1924.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), and in supersession of the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1377 dated the 12th July 1958, the Central Government hereby appoints Shri W. V. Oak, I.A.S., Commissioner of Labour, Madhya Pradesh to be an Inspector for the whole of the State of Madhya Pradesh for the purposes of the said Act and of any scheme framed thereunder in relation to an establishment belonging to, or under the control of, the Central Government or in relation to an establishment connected with a railway company, a major port, a mine or an oil field or a controlled industry, *vice* Shri L. R. Joshi.

[No. PFI-31(482)58/I.]

S.O. 1925.—In pursuance of the provisions of paragraph 20 of the Employees Provident Funds Scheme 1952 framed under section 5 of the Employees Provident Funds Act, 1952 (19 of 1952), and in supersession of the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1376 dated the 12th July, 1958, the Central Government hereby appoints Shri W. V. Oak, I.A.S., Commissioner of Labour, Madhya Pradesh to be the Regional Provident Fund Commissioner, for the whole of the State of Madhya Pradesh *vice* Shri L. R. Joshi. Shri W. V. Oak shall work under the general control and superintendence of the Central Provident Fund Commissioner.

[No. PFI-31(482)/58/II.]

BALWANT SINGH, Under Secy.

New Delhi, the 12th September 1958

S.O. 1926.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Nagpur, in the industrial dispute between Messrs New Dholera Shipping and Trading Company, Bombay and its workmen.

BEFORE SHRI P. D. VYAS, JUDGE, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR AT BOMBAY

REFERENCE (CGIT) No. 4 of 1958

AN ADJUDICATION BETWEEN

The employers in relation to
M/S. New Dholera Shipping and Trading Co., Bombay.

AND

Their Workmen.

In the matter of an industrial dispute relating to classification & scales of wages.

APPEARANCES:

Shri S. C. Sheth with Shri Rasiklal—for the employers.

Shri Manohar Kotwal, Secretary, Transport & Dock Workers Union—for the workmen.

AWARD

In exercise of the powers conferred by clause (d) of the sub-section (1) of section 10 of the Industrial Disputes Act, 1947 the Central Government was pleased to refer an industrial dispute existing between the employers in relation to M/s New Dholera Shipping and Trading Co., Bombay and their workmen for adjudication to me under the Government Order LRII/28(7)/58, dated the 5th May, 1958. The dispute relates to the matter specified in the schedule annexed to the said order.

THE SCHEDULE

"Whether there should be classification of the staff according to the nature of duties and provision for distinct scales of wages? If so, what such classification should be".

2. On the usual notices being issued the Secretary, Transport and Dock Workers' Union, Bombay has filed the statement of claims on behalf of the workmen, and the Director of M/s New Dholera Shipping & Trading Co. Ltd., has filed the written statement on behalf of the said Company. The Reference was thereafter fixed for hearing and during the course of the hearing, after some discussion, the parties have arrived at an amicable settlement. They have submitted the consent terms in writing and request that an award may be made accordingly. I, therefore, make my award in terms of the memorandum of settlement annexed hereto.

Dated: 20th August, 1958.

Sd./- P. D. VYAS. Judge

Central Govt. Industrial Tribunal, Nagpur at Bombay.

ANNEXURE

BEFORE SHRI P. D. VYAS, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL, NAGPUR, AT BOMBAY

REFERENCE (CG-IT) No. 4 OF 1958

BETWEEN

Messrs. New Dholera Shipping & Trading Co., Ltd., Bombay.

AND

Their Workmen

Consent Terms

1. Without prejudice to the contentions of both the parties as to whether the wages of the workmen under reference have been fixed after taking into consideration the duties performed by them or not by the Award of Shri M. R. Meher in Reference (IT-CG) No. 4 of 1954 as modified by the Decision of the Labour Appellate Tribunal dated 1st February, 1956, the Union agrees to withdraw the demand in respect of the said workmen, reserving its right to agitate for the said demand at a future date.

2. As regards the Assistant Garge Supervisor and Cargo Supervisor concerned in this dispute, namely, Shri Bhagat and Shri Ibrahim Haji, it is agreed that if as a result of any decision ultimately made in connection with the arbitration referred to in the Agreement dated the 12th June, 1958 made between the Bombay Stevedores' Association Ltd., and the Transport & Dock Workers' Union Bombay, or as a result of any agreement between the parties in connection therewith, the scales of pay pertaining to the Assistant Supervisors and Cargo Supervisors are revised or modified, such revised or modified scales shall be applied to Shri Bhagat, Assistant Cargo Supervisor and Shri Ibrahim Haji, Cargo Supervisor.

3. In view of this agreement, the parties pray that an award be made accordingly.

Bombay, dated the 20th day of August 1958

FOR THE TRANSPORT &
DOCK WORKERS' UNION, BOMBAY.

Sd/-
SECRETARY.

FOR THE NEW DHOLERA
SHIPPING & TRADING CO. LTD.,

Sd/-
DIRECTOR.

Rewarded

Sd./- P. D. VYAS,
28-8-1958.

[No. LR. IV. 28(7)/58.]

R. C. SAKSENA, Under Secy.

New Delhi, the 13th September 1958

S.O. 1927.—In exercise of the powers conferred by section 4 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints the Labour Inspector (Central), Bhilwara, to be a Conciliation Officer, for a period of four months from the date of this notification for:—

- (i) all industries carried on by or under the authority of the Central Government;
- (ii) all mines and oil fields; and
- (iii) all banking and insurance companies,

in the State of Rajasthan excluding the Districts of Bhilwara, Udaipur, Chittorgarh, Banswara, Doongarpur, Indore, Dhar, Nimar, Mandasaur and Jhabua.

[No. LRI-1(70)/58.]

S.O. 1928.—In pursuance of sub-section (3) of Section 22 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby specifies the Labour Inspector (Central), Bhilwara, as the authority to whom, for a period of four months from the date of this notification, the employer shall send intimation of any lock-out or strike referred to in the said sub-section, in the State of Rajasthan excluding the districts of Bhilwara, Udaipur, Chittorgarh, Banswara, Doongarpur, Indore, Dhar, Nimar, Mandasaur, and Jhabua.

[No. LRI-1(70)/58.]

A. P. VEERA RAGHAVAN, Under Secy.

New Delhi, the 13th September 1958

S.O. 1929.—The following draft of a further amendment in the Coal Mines Labour Welfare Fund Rules, 1949, which the Central Government proposes to make in exercise of the powers conferred by section 10 of the Coal Mines Labour Welfare Fund Act, 1947 (32 of 1947), is published, as required by sub-section (1) of the said section, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 25th October, 1958.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified shall be considered by the Central Government. Such objection or suggestion should be addressed to the Under Secretary, Ministry of Labour & Employment.

Draft Amendment

In the said Rules, in clause (iv) of sub-rule (1) of rule 6, for the word 'six', the word 'eight' shall be substituted;

[No. M-II-1(5)/58.]

S. RANGASWAMI, Under Secy

New Delhi, the 15th September 1958

S.O. 1930.—Whereas the Central Government is satisfied that the employees in the Workshop of the Indian Bureau of Mines, Calcutta, belonging to the Government of India in the Ministry of Steel, Mines and Fuel are otherwise in receipt of benefits substantially similar or superior to the benefits provided under the Employees' State Insurance Act, 1948 (34 of 1948);

Now, therefore, in exercise of the powers conferred by section 90 of the said Act, the Central Government hereby exempts the said Workshop from all the provisions of the said Act.

[No. HI-6(47)/58.]

P. R. NAYAR, Under Secy.

New Delhi, the 10th September 1958

S.O. 1931.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the Allahabad Bank Limited, Calcutta and their workmen.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

20/1, Gurusaday Road, Ballygunge, Calcutta—19.

REFERENCE No. 9 OF 1957

The Allahabad Bank Limited, Calcutta

AND

Their workmen.

PRESENT:

Shri A. Das Gupta, Presiding Officer.

APPEARANCES:

For the Bank—Shri Bishen Das, Assistant, Allahabad Bank Ltd., Head Office, Calcutta.

For the workmen—Shri Jai Govind Rai, President, Shri Dayal Das, Secretary, All India Allahabad Bank Employees' Co-ordination Committee.

Shri Prayag Narain Tewari, General Secretary, U.P. Bank Employees Union, Allahabad.

Shri Bhupal Sarkar, President, Shri Daroga Singh, General Secretary, Allahabad Bank Indian Staff Association, Calcutta.

AWARD

By Notification No. S.R.O. 3982, dated the 9th December, 1957, the Government of India, Ministry of Labour & Employment, in exercise of the powers conferred by Section 7A and Section 10(1) clause (d) of the Industrial Disputes Act, 1947 constituted an Industrial Tribunal with myself as the Presiding Officer with headquarters at Calcutta and referred to me for adjudication the dispute:

"Whether the special allowance now granted by the Allahabad Bank Limited to their workmen designated as counter-signing clerks is adequate having regard to the nature of their duties and responsibilities and the emoluments paid to persons discharging similar duties and responsibilities in other comparable banks and if not, what amount of special allowance should be granted to them."

2. At the initial stage of the hearing the workmen were represented by U.P. Bank Employees Federation, Kanpur, U.P. Bank Employees Union, Allahabad, Allahabad Bank Indian Staff Association, Calcutta, and All India Allahabad Bank Employees Co-ordination Committee, Delhi. They filed their statements of demands and the Bank in due course filed its reply.

3. The validity of the Reference was assailed by the Bank on two grounds. This preliminary objection of the Bank was heard on 1st April, 1958 and by an order, dated 3rd April, 1958, the preliminary objection was over-ruled.

4. Late Mr. Alexander Izat, General Manager of the Allahabad Bank Ltd. was examined, on the requisition of the Unions, as a special witness on 1st April, 1958. The parties filed lists of witnesses and requisitions for documents. Considerable documents have been filed and to expedite the hearing of the case parties agreed that the examinations-in-chief of witnesses to be examined in this case would be by affidavits. These affidavits have been filed and the case was fixed to-day for final hearing.

5. The management and the three Unions viz. All India Allahabad Bank Employees' Co-ordination Committee, U.P. Bank Employees Union and the Allahabad Bank Indian Staff Association, have to-day amicably settled the dispute and they have filed terms of settlement duly signed by their representatives. The U.P. Bank Employees Federation, Kanpur, has not turned up although it was duly served with a notice. The terms of settlement are fair. I accordingly direct that the terms be recorded and an award be given in terms of the settlement, on compromise so far to the parties to the terms of settlement are concerned and *ex-parte* so far as U.P. Bank Employees Federation, Kanpur is concerned. The terms of settlement shall form part of this award.

ENCL: Terms of Settlement.

Calcutta,
25th August, 1958.

A. DAS GUPTA,
Presiding Officer,

Central Government Industrial Tribunal, Calcutta.

MEMORANDUM OF AGREEMENT

Discussing have been held between the Management and representatives of employees over the possibility of a compromise in the dispute relating to countersigning clerks for whom the employees claim a special allowance of Rs. 50 per month as awarded by the Sastri Tribunal for supervisors in para 164(b) of their Award.

The Management's view is that while the countersigning clerks in fact perform duties which are higher than those of ordinary clerks, for such duties they are being paid the present allowance, which the Management consider reasonable. Such duties taken together did not entail the degree of skill and responsibility which supervisors in other banks drawing a special allowance of Rs. 50 per month generally perform. The Management, however have no objection to paying to the countersigning clerks the special allowance of Rs. 50 per month with immediate effect, provided they are allowed to take from such employees all the duties of supervisors including independently passing cheques and vouchers up to a certain limit, signing intimations, acknowledgments, pass books and statements etc.

Employees' representatives maintain that even the present duties of countersigning clerks are such as entitle them to the special allowance of Rs. 50 per month and, therefore, for the past services the employees must be compensated. They have at the same time no objection to any further duties being assigned to these employees provided of course such duties are consistent with those performed by supervisors getting such allowance in other comparable banks.

In consideration of each other's point of view and all the relevant facts and circumstances, the parties in their desire to maintain cordial relations by settling this long standing dispute directly between themselves agree to the following terms:

1. With immediate effect and in terms of paragraph 2 below the countersigning clerks will be designated as supervisors and paid the special allowance of Rs. 50 per month, any other special allowance applicable as per Sastri Award and the existing countersigning allowance being merged into new allowance.
2. The special allowance of Rs. 50 per month will be paid with effect from 1st January, 1958 to the countersigning clerks designated as Head Clerks, Clerks-in-charge and such countersigning clerks who are being paid the special allowance of Rs. 10, Rs. 9 or Rs. 8 as also those countersigning clerks who have been transferred to Head Office for training. The post of Head Clerk will hereafter be abolished.
3. The cases of countersigning clerks, if any, the major part of whose duties are countersigning but are not being paid the special allowance of Rs. 10, Rs. 9 or Rs. 8 per month will not be prejudiced by the above and such cases will be considered on representation with retrospective effect as has been the case with other countersigning clerks in the event of their claim being admitted.

4. The Bank will be entitled to take from countersigning clerks all such duties as are consistent with the duties performed by supervisors getting the special allowance of Rs. 50 per month in other comparable banks.
5. Employees concerned will be paid the arrears in retrospective adjustment since 1st January, 1958 by the 30th September, 1958.
6. The parties will request the Central Government Industrial Tribunal at Calcutta before whom the dispute is pending under Reference No. 9 of 1957 to record this compromise and pass an award in terms hereof.

Calcutta, 25th August 1958

For Allahabad Bank Ltd.

(Sd.) M. J. MACLAREN,
General Manager.

For the All India Allahabad Bank Employees' Co-ordination Committee,

(Sd.) JAI GOVIND RAI,

(Sd.) DAYAL DAS,

President.

Secretary.

For the U.P. Bank Employees' Union.

(Sd.) P. N. TEWARI,

General Secretary.

For the Allahabad Bank Indian Staff Asscn.

(Sd.) B. SARKAR.

(Sd.) D. SINGH,

President.

General Secretary.

[No. LR11/10(4)/57.]

New Delhi, the 15th September 1958

S.O. 1932.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi, in the industrial dispute between the employers in relation to the management of Allahabad Bank Limited, Moradabad City and their workman.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DELHI
PRESENT

Shri E. Krishna Murti,

Central Govt. Industrial Tribunal

3rd September, 1958.

I.D. No. 120 of 1958.

BETWEEN

The management of Allahabad Bank Limited, Moradabad City.

AND

Their workman.

Messrs. Loknath Shukla and Narayan Mehrotra—for management.

Shri Dayal Dass—for the workman.

AWARD

By G.O. No. S.O.—dated the 3rd June, 1958, the industrial dispute, between the management of Allahabad Bank Limited, Moradabad City, and their workman, has been referred to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947.

2. The terms of reference are as follows:—

(1) Whether Shri K. N. Verma is covered by the definition of the term "workman", as given in Section 2(s) of the Industrial Disputes Act, 1957?

(2) If so, whether the decision of the Allahabad Bank Limited to terminate his services is justified, and, if not, to what relief he is entitled?

3. It is alleged in the statement of claim, that Shri Kedar Nath Verma joined the service of Allahabad Bank as a clerk in the year 1935, that he was discharging his duties quite satisfactorily, that he acted as Agent at Moradabad City,

that he got an order of transfer to Aligarh as Agent of that Branch, that one Shri B. S. Sharma came over to Moradabad City to take-over charge, that by letter dated 31st August, 1956 the Bank advised Shri Verma about the termination of his services with effect from 24th August, 1956 on payment of three months' salary in lieu of notice, that the Bank purported to take action against him for alleged irregularities in discharging his duties, that, in spite of his representations, the General Manager of the Bank declined to set aside the order, that, even if the workman had been guilty of some fault, termination of service was not called for in view of his past good record, that in any case the said termination of service is illegal and high handed, and is against the principles of natural justice, and that he must be re-instated in service together with back wages for the period of forced unemployment.

4. The contention on behalf of the Allahabad Bank is, that Shri K. N. Verma is not a workman, as defined in the Industrial Disputes Act, that Shri K. N. Verma, who was working as Agent, Moradabad Branch, was transferred to Aligarh, that Shri B. S. Sharma was posted to Moradabad in his place, that Shri B. S. Sharma sent a report, pointing out several irregularities in the affairs of the Bank at Moradabad City Branch, that Shri K. N. Verma was placed under suspension, that he was also served with a charge-sheet in respect of certain highly irregular and unauthorised transactions made by him as Agent of the Moradabad City Branch, that, after having considered the explanation given by him, it was decided by the Board of Directors of the Bank, that it was no longer safe to continue Shri K. N. Verma in service in the interests of the business and discipline of the Bank, that the termination of service of Shri Verma is justified, and that he is not entitled to any of the reliefs claimed.

5. The issues, that arise for determination, are:—

- (1) Whether there is an industrial dispute?
- (2) Whether Mr. Verma is a workman within the meaning of the Act?
- (3) What were the duties performed by him, and whether the duties performed by him were such as to take him out of the category of workman?
- (4) Is the reference bad in law, as pleaded by the management?
- (5) If Mr. Verma is a workman, is the termination of his services valid and justified?
- (6) To what relief, if any, is Mr. Verma entitled?

Issues No. 1 to 6

6. This is a dispute between the management of Allahabad Bank Limited, Moradabad City, and their workman, Shri K. N. Verma.

7. At the time this dispute came on for hearing, both parties reported, that the matter had been settled between them in terms of the compromise, set out below:—

"As a result of discussions between the Management and employees' representatives, the parties have arrived at a compromise in the dispute relating to Sri Kedar Nath Verma in the following terms:—

1. The Bank agrees to continue the services of Sri Kedar Nath Verma in the official grade.
2. Sri Verma will be posted at Kanpur where he will draw a basic salary of Rs. 375 plus usual allowances with effect from the date he reports for duty there.
3. The Bank will pay Sri Verma a sum of Rs. 5,000 to enable him to liquidate his liabilities incurred during the past two years. He will further be allowed an interest free loan upto Rs. 2,000 repayable by regular monthly instalments to enable him to meet his further liabilities, if any.
4. For the period between 24th August, 1956 to the date Sri Verma joins duty at Kanpur there will be no contributions to his Provident Fund account from either side, but interest on the balance will not cease.
5. The parties will jointly apply to the Industrial Tribunal, Delhi, before whom the dispute is pending under reference No. 121 of 1958, to record this compromise and pass an award in terms hereof".

8. The compromise is accepted.

9. In the result, an award is passed in terms of the compromise, set out above.

(Four pages)

3rd September, 1958.

E. KRISHNA MURARI,

Central Government Industrial Tribunal, Delhi.

[No. LRII-10(41)/58.]

New Delhi, the 16th September 1958

S.O. 1933.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the Allahabad Bank Limited, Calcutta and their workmen.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

20/1, Gurusaday Road, Ballygunge, Calcutta—9.

REFERENCE NO. 9 OF 1957

The Allahabad Bank Limited, Calcutta

AND

Their workmen

PRESENT

Shri A. Das Gupta, Presiding Officer.

APPEARANCES:

For the Bank—

Shri Bishen Das, Assistant, Allahabad Bank Ltd., Head Office, Calcutta.

For the workmen—

Shri Jai Govind Rai, President,

Shri Dayal Das, Secretary, All India Allahabad Bank Employees' Co-ordination Committee.

Shri Prayag Narain Tewari, General Secretary, U.P. Bank Employees Union, Allahabad.

Shri Bhupal Sarkar, President,

Shri Daroga Singh, General Secretary, Allahabad Bank Indian Staff Association, Calcutta.

AWARD

By Notification No. S.R.O. 3982, dated the 9th December, 1957, the Government of India, Ministry of Labour and Employment, in exercise of the powers conferred by Section 7A and Section 10(1) clause (d) of the Industrial Disputes Act, 1947 constituted an Industrial Tribunal with myself as the Presiding Officer with headquarters at Calcutta and referred to me for adjudication the dispute:

“Whether the special allowance now granted by the Allahabad Bank Limited to their workmen designated as counter-signing clerks is adequate having regard to the nature of their duties and responsibilities and the emoluments paid to persons discharging similar duties and responsibilities in other comparable banks and if not, what amount of special allowance should be granted to them.”

2. At the initial stage of the hearing the workmen were represented by U.P. Bank Employees Federation, Kanpur, U.P. Bank Employees Union, Allahabad, Allahabad Bank Indian Staff Association, Calcutta, and all India Allahabad Bank Employees Co-ordination Committee, Delhi. They filed their statements of demands and the Bank in due course filed its reply.

3. The validity of the Reference was assailed by the Bank on two grounds. This preliminary objection of the Bank was heard on 1-4-1958 and by an order dated 3-4-1958 the preliminary objection was over-ruled.

4. Late Mr. Alexander Izat, General Manager of the Allahabad Bank Ltd was examined, on the requisition of the Unions, as a special witness on 1-4-1958

The parties filed lists of witnesses and requisitions for documents. Considerable documents have been filed and to expedite the hearing of the case parties agreed that the examinations-in-chief of witnesses to be examined in this case would be by affidavits. These affidavits have been filed and the case was fixed to-day for final hearing.

5. The management and the three Unions viz. All India Allahabad Bank Employees' Co-ordination Committee, U.P. Bank Employees Union and the Allahabad Bank Indian Staff Association, have to-day amicably settled the dispute and they have filed terms of settlement duly signed by their representatives. The U.P. Bank Employees Federation, Kanpur, has not turned up although it was duly served with a notice. The terms of settlement are fair. I accordingly direct that the terms be recorded and an award be given in terms of the settlement on compromise so far to the parties to the terms of settlement are concerned and *ex-parte* so far as U.P. Bank Employees Federation, Kanpur is concerned. The terms of settlement shall form part of this award.

ENCL: Terms of Settlement.
Calcutta, 25th August, 1958.

A. DAS GUPTA, Presiding Officer.

Memorandum of Agreement

Discussions have been held between the Management and representatives of employees over the possibility of a compromise in the dispute relating to countersigning clerks for whom the employees claim a special allowance of Rs. 50 per month as awarded by the Sastri Tribunal for supervisors in para 164(b) of their Award.

The Management's view is that while the countersigning clerks in fact perform duties which are higher than those of ordinary clerks, for such duties they are being paid the present allowance, which the Management consider reasonable. Such duties taken together did not entail the degree of skill and responsibility which supervisors in other banks drawing a special allowance of Rs. 50 per month generally perform. The Management, however have no objection to paying to the countersigning clerks the special allowance of Rs. 50 per month with immediate effect, provided they are allowed to take from such employees all the duties of supervisors including independently passing cheques and vouchers up to a certain limit, signing intimations, acknowledgements, pass books and statements etc.

Employees' representatives maintain that even the present duties of countersigning clerks are such as entitle them to the special allowance of Rs. 50 per month and, therefore, for the past services the employees must be compensated. They have at the same time no objection to any further duties being assigned to these employees provided of course such duties are consistent with those performed by supervisors getting such allowance in other comparable banks.

In consideration of each other's point of view and all the relevant facts and circumstances, the parties in their desire to maintain cordial relations by settling this long standing dispute directly between themselves agree to the following terms:—

1. With immediate effect and in terms of paragraph 2 below the countersigning clerks will be designated as supervisors and paid the special allowance of Rs. 50 per month, any other special allowance applicable as per Sastri Award and the existing countersigning allowance being merged into new allowance.
2. The special allowance of Rs. 50 per month will be paid with effect from 1st January, 1958 to the countersigning clerks designated as Head Clerks, Clerks-in-charge and such countersigning clerks who are being paid the special allowance of Rs. 10, Rs. 9 or Rs. 8 as also those countersigning clerks who have been transferred to Head Office for training. The post of Head Clerk will hereafter be abolished.
3. The cases of countersigning clerks, if any, the major part of whose duties are countersigning but are not being paid the special allowance of Rs. 10, Rs. 9 or Rs. 8 per month will not be prejudiced by the above and such cases will be considered on representation with retrospective effect as has been the case with other countersigning clerks in the event of their claim being admitted.

4. The Bank will be entitled to take from countersigning clerks all such duties as are consistent with the duties performed by supervisors getting the special allowance of Rs. 50 per month in other comparable banks.
5. Employees concerned will be paid the arrears in retrospective adjustment since 1st January, 1958 by the 30th September, 1958.
6. The parties will request the Central Government Industrial Tribunal at Calcutta before whom the dispute is pending under Reference No. 9 of 1957 to record this compromise and pass an award in terms hereof.

Calcutta, 25th August, 1958.

For Allahabad Bank Ltd.

(Sd.) M. J. MACLAREN,

General Manager.

For the All India Allahabad Bank Employees
Co-ordination Committee.

(Sd.) JAI GOVIND RAI.

President

(Sd.) DAYAL DAS,

Secretary.

For the U.P. Bank Employees' Union.

(Sd.) P. N. TEWARI, General Secy.

For the Allahabad Bank Indian Staff Assn.

(Sd.) B. SARKAR.

President

(Sd.) D. SINGH,

General Secy.

[No. LR II/10(4)/57.]

CORRIGENDUM

New Delhi, the 12th September 1958

S.O. 1934.—In the order of the Government of India in the Ministry of Labour & Employment No. S.O. 1717 dated the 14th August, 1958, published in the Gazette of India, Part II, Section 3 Sub-section (ii) dated the 23rd August, 1958:—

For "Birds' Saunda Colliery, P.O. Syria District, Dhanbad", read "Bird's Saunda Colliery, P.O. Bharkunda, District, Hazaribagh", and for "Training Sardars" appearing in the Schedule, read "Tramming Sardars".

[No. LR II/2(68)/58]

K. D. HAJELA, Under Secy

